

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2379.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF RICE.

On May 15, 1912, the United States Attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Allen Bros. Co., a corporation, Omaha, Nebr., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 3, 1911, from the State of Nebraska into the State of Utah of a quantity of rice which was adulterated and misbranded. The product was labeled: "Fancy quality Forest City Brand cleaned Head Rice Allen Bros. Co., Omaha, Neb. 2½ lbs. Net weight. Clean rice in a Clean Package. Packed by Allen Bros. Co., Omaha, Neb. Directions * * * *"

An analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Net weight, 2.333 pounds; short weight, 6.7 per cent; ash, 0.42 per cent; appearance of ash, skeleton. One hundred-gram portions of rice were superficially washed with 150 cc of water; washings decanted and evaporated; residues examined for total solids, glucose, ash, and qualitative composition of same. Weight of dried washings from 100 grams rice, 1.4446 grams; per cent dextrose in residue, 6.48; per cent ash in residue 12.24; qualitative examination of ash, largely silica and magnesia. Above results show that the sample is coated with glucose and talc. Adulteration of the product was alleged in the information for the reason that it was coated with glucose and talc, while no directions were given upon the label for the removal of the talc. Misbranding was alleged for the reason that the statement on the label "2½ lbs. net weight" was false and misleading, because each package of the product weighed less than 2½ pounds net weight. Misbranding was

alleged for the further reason that said statement "2½ lbs. net weight" borne upon the label thereof deceived and misled the purchaser thereof into the belief that he was procuring 2½ pounds of rice, whereas the weight of the contents of each package was less than 2½ pounds. Misbranding was alleged for the further reason that the contents of the packages of the product were not stated correctly on the outside thereof, being labeled as containing 2½ pounds net weight, whereas, in truth and in fact, the contents of each of the packages weighed less than 2½ pounds net.

On December 20, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$15 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 3, 1913.*